

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FA6117

Michael KAMBUROWSKI *et ux.*,

Plaintiff,

v.

Michael KIDD, Deportation Officer, U.S.
Immigration and Customs Enforcement, and
John CARBONE, (former) Acting Field
Director, U.S. Immigration and Customs
Enforcement,

Defendants.

No. 05-CV-0953 (CBA/RLM)

(Amon, J.)

(Mann, M.J.)

AMENDED NOTICE OF MOTION

To: Michael J. DiRaimondo, Esq.
Mary Elizabeth Delli-Pizzi, Esq.
DiRaimondo & Masi, LLP
401 Broadhollow Road, Suite 302
Melville, NY 11747

Thomas E. Moseley, Esq.
One Gateway Plaza, Suite 2600
Newark, NJ 07102

PLEASE TAKE NOTICE that, on March 18, 2008, at 11:30 a.m., or as soon thereafter as counsel can be heard, in the Courtroom of the Honorable Carol Bagley Amon, United States District Judge for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, defendants Michael S. Kidd and John Carbone, and putative defendant the United States of America, will move this Honorable Court, pursuant to Rule 12(h)(3) of the Federal Rules of Civil Procedure, to dismiss this action for lack of subject matter jurisdiction and on account of the defendants' immunity from suit, or, in the alternative, and pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment as to all claims set forth in the Amended